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Janesa Urbano
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Received & Inspected

AUG 3 0 2010

FCC Mail Room

August 27, 2010

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VIA ELECTRONIC COMMENT FILING SYSTEM and OVERNIGHT DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

> RE: **REQUEST FOR REVIEW OF USAC DENIAL OF APPEAL OF COMMITMENT ADJUSTMENT DECISION**
> CC Docket No. 96-45
> CC Docket No. 02-6
> Funding Request Number: 1429088
> SPIN: 143029024
> Service Provider: Kane Communications, LLC
> Form 471 Application No.: 519331
> Funding Year: 1996
> Applicant Name: Essex County Vocational Schools
> Billed Entity No.: 151489

Dear Ms. Dortch:

Please be advised that we represent Kane Communications, LLC ("Kane" or "Appellant") with respect to this Request for Review. Specifically, Kane filed an appeal of a May 12, 2010 Commitment Adjustment Decision ("Decision") with respect to Funding Request Number 1429088, Form 471 Application Number 519331 (the "Appeal") with USAC on or about July 7, 2007. A full and complete copy of Kane's Letter of Appeal with Exhibits is attached hereto as Exhibit 1. On July 22, 2010, USAC denied Kane's Appeal. A true and correct copy of the Administrator's Decision on Appeal ("Administrator's Decision") is attached hereto as Exhibit 2.

In the Administrator's Decision, it states:

> After a thorough review, USAC has determined that the funding commitment for this request must be reduced by $165,079.52. During the course of review, it was determined that funding was provided for the following ineligible items: excess number of cabling drops. The pre-discount cost associated with these items is $183,421.69. At the applicants 90 percent discount rate this resulted in an improper commitment of $165,079.52. On the

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SPAC Form, the authorized person certified at Item 10 that the service provider has billed its customer for services deemed eligible for support. Therefore, USAC has determined hat the service provider is responsible for this rule violation. Accordingly, USAC reduced the amount of funds committed by $165,079.52, and sought recovery of improperly disbursed funds from the service provider. On appeal, you have failed to demonstrate that USAC erred in its decision to rescind funding. Subsequently, your appeal is denied.

Kane asserts that the Administrator's Decision to reduce the funding commitment and seek recovery from Kane was in error. Rather, Kane maintains that no reduction is funding commitment is required. In the alternative, any reduction in funding must be recovered from the Applicant, Essex County Vocational Technical Schools (the "District").

On or about December 11, 2005, the District posted its Form 470 Application and solicited bids for provision of the following services:

- Upgrade of Local Area Network Hardware in all four (4) district schools;
- Upgrade File Servers in all four (4) district schools;
- Upgrade UTP Cabling Infrastructure in all four (4) district schools;
- Implement Wireless System Infrastructure in all four (4) district schools;
- Implement additional Fault Tolerant Call Manager in all four (4) district schools;
- Implement IP Telephony Emergency Services in all four (4) district schools; and,
- Technical Support in all four (4) district schools.

In February 2006, Kane responded to the District's posting and submitted a quotation for the cabling infrastructure only (third bullet) for each of the four (4) district schools. The District accepted Kane's quotation in its entirety ($1,431,395). Subsequently, the District filed a Form 471 Application and attached the quotation of Kane as support. On October 24, 2006, USAC approved the District's Form 471 (with a 90% approved discount percentage) for FRN 1429088. As a result, on December 20, 2006, USAC transmitted a Form 486 Notification Letter to Kane and specifically stated that the funding commitment decision of $1,288,255.50 was approved for FRN 1429088. Now, Kane has received the Decision stating that the funding commitment must be reduced by $165,079.52. The following details Kane's Appeal.

I.   No funding reduction is required

As its name suggests, Essex County Vocational Technical Schools are different from mainstream schools. Instead, the district provides state-of-the-art instruction in over 30 career and technical areas including health careers, music production, computer and business technology, law and public safety, graphic design, green energy, television production, dental

assistance, automotive, building trades, culinary arts and cosmetology. As a result, the District has larger technology requirements than mainstream high schools.

Pursuant to New Jersey law, the District must periodically submit a Local District Technology Plan ("Technology Plan") which must be approved by both the District and the New Jersey Department of Education (the "DOE"). It is the Technology Plan that governs the infrastructure, hardware, software and devices that is placed within the District. Since this District is composed solely of vocational and technical schools, the DOE maintains higher requirements than other school districts.

The Executive Summary of the District's current Technology Plan describes the need for these inflated requirements:

> . . . As a regional technical school, the district places special emphasis on the SCANS array of skills and endeavors to instruct its students on the application of technology . . .

> The district also has the unique mission and challenge of providing high level educations opportunities for at risk students from the urban centers of Essex County. Many families in our community are living at or below the poverty level. In most instances, lack of availability of computer and Internet access is the rule. The district thus endeavors to offset these limitations by providing the fullest access to technology to its students in all of its classes, seeking methods of providing access for our students and their families to such technology: in the workplace, in their community and even in their homes.

A full and complete copy of the District's Technology Plan is attached hereto as Exhibit A to Exhibit I.

The Technology Plan specifically references the scope of services provided by Kane. In the Overview of its technology the District states:

> During the school year of 2006-07 we are in the process of implementing new data wiring of CAT 6 cabling, Wireless Technology and the new Cisco Voice Over IP phone system through out [sic] the entire district. Each classroom will have at least one phone and our Central Office staff and other staff members will each have a phone with access to voicemail via phone or e-mail as well.

This scope was required and approved by the New Jersey Department of Education. The volume and scope of services provided by Kane was approved by USAC prior to the work being

performed. The volume and scope of services provided by Kane was performed in accordance with the District's Technology Plan. As a result, the number of drops is not excessive and the funding commitment should not be reduced.

Further, the Administrator's Decision states that the number of drops is excessive and references Kane to the USAC website (www.usac.org/sl, Eligible Services List) and 47 C.F.R. §§54.502 and 54.503. However, neither the USAC website nor the Federal Regulations reference or include a required number or limit to the number of technological devices installed per student or overall in a particular school. Instead, the documentation solely discusses the type of equipment. Kane installed the proper type of equipment which is eligible for funding. The quantity is at issue. As discussed above, the volume and scope was determined by the District and its mandated requirements. There are no number or ratio limits established by USAC or the FCC. As a result, the number of cabling drops cannot be found to be excessive as no such guidance or requirement exists within the USAC/FCC program. Therefore, the funding commitment must not be reduced.

2. Any reduction in funding must be recovered from the District

If you do not agree that the number of drops made were not only adequate but necessary, it is the District, and not Kane Communications, that is responsible for reimbursement. Although payment was made to Kane, payment was made for services performed. Those services remain in place and Kane is entitled to receive fair compensation for the provision of those services. It is the District who required and dictated the services performed. Therefore, any ineligible services provided were provided at the risk of the District, not Kane.

After the District posted its Form 470 Application in December 2005 and before it accepted bids, it required that any potential bidder perform a walk through of each school during which the District stated the type and position of each drop that was to be made. Throughout the term of the project, the District determined the scope and volume of Kane's work. Kane did not possess any independent authority with respect to this work. If Kane had a question, a Request for Information ("RFI") was sent to the District's attention and Kane awaited an answer from the District. An example of three (3) RFIs is attached as Exhibit B to Exhibit 1. Moreover, throughout the project, Kane was directed by the District to add or relocate drops. Examples of this are e-mails from the District's IT administrator to Kane attached hereto as Exhibit C to Exhibit 1.

The District has alleged that at the time of Kane's contract, it did not have in-house staff to determine the number of drops required to meet its technology goal and instead relied upon Kane for this information. Kane vehemently disagrees with this allegation. The District did have in-house personnel. Terence Hansford served as the District's Network Systems Administrator and provided day to day direction to Kane. See Exhibits B and C to Exhibit 1. Additionally, the District utilized the services of a Technical Consultant, Edrich Semper, at the time of Kane's contract. In fact, Mr. Semper is listed as the contact on the District's Form 470 Application and it is Mr. Semper who certified that Kane provided the services for which it
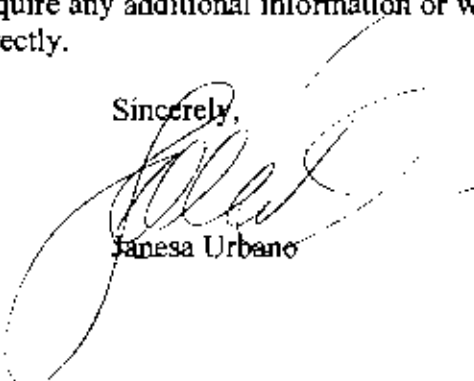
invoiced. True and correct copies of the Service Certifications are attached hereto as Exhibit D to Exhibit 1.

Finally, Kane was not engaged to provide any type of design services. The Request for Proposal issued by the District as well as the scope of services ultimately provided only required Kane to provide installation services. Kane did not design this project. Kane did not determine the technology requirements for this project.

As demonstrated above, the District determined the scope of the services provided by Kane, the District directed the services provided by Kane and the District certified the services provided by Kane. As a result, if you do not agree that the number of drops made were not only adequate but necessary, it is the District, and not Kane Communications, that is responsible for reimbursement.

As counsel for Kane Communications, LLC, I am authorized to submit this Request for Review to your attention. If you require any additional information or would like to discuss this matter further, please contact me directly.

Sincerely,

Janesa Urbano

JU/pcf
Euclosures

cc (with enclosures): Melissa M. Kane
Dan Riordan

Jenesa Urbano
Attorney At Law

COHEN SEGLIAS PALLAS GREENHALL&FURMAN PC

July 7, 2010

United Plaza, 19th Floor
30 South 17th Street
Philadelphia, PA 19103

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jurbano@cohenseglias.com
www.cohenseglias.com

VIA E-MAIL ONLY

Letter of Appeal
Schools and Libraries Division – Correspondence Unit
100 S. Jefferson Road
P.O. Box 902
Whippany, NJ 07981

RE: **APPEAL OF COMMITMENT ADJUSTMENT DECISION**
        Funding Request Number: 1429088
        SPIN: 143029024
        Service Provider: Kane Communications, LLC
        Form 471 Application No.: 519331
        Funding Year: 1996
        Applicant Name: Essex County Vocational Schools
        Billed Entity No.: 151489

Dear Sir or Madam:

Please be advised that we represent Kane Communications, LLC ("Kane" or "Appellant") with respect to the appeal of the May 12, 2010 Commitment Adjustment Decision ("Decision") with respect to Funding Request Number 1429088, Form 471 Application Number 519331 (the "Appeal").

In your Decision, you state that:

> . . . the funding commitment for this request must be reduced by $165,079.52. During the course of review, it was determined that the funding was provided for . . . excess number of cabling drops. . . . On the SPAC Form, the authorized person certifies at item 10 that the service provider has billed its customer for services deemed eligible for support. Therefore, USAC has determined that the service provider is responsible for this rule violation. Accordingly, the commitment has been reduced by $165,079.52.

Kane asserts that USAC's decision to reduce the funding commitment and seek recovery from Kane was in error. Rather, Kane maintains that no reduction is funding commitment is required. In the alternative, any reduction in funding must be recovered from the Applicant, Essex County Vocational Technical Schools (the "District").

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In February 2006, Kane responded to the District's posting and submitted a quotation for the above services for each of the four (4) district schools. The District accepted Kane's quotation in its entirety ($1,431,395). Subsequently, the District filed a Form 471 Application and attached the quotation of Kane as support. On October 24, 2006, USAC approved the District's Form 471 (with a 90% approved discount percentage) for FRN 1429088. As a result, on December 20, 2006, USAC transmitted a Form 486 Notification Letter to Kane and specifically stated that the funding commitment decision of $1,288,255.50 was approved for FRN 1429088. Now, Kane has received the Decision stating that the funding commitment must be reduced by $165,079.52. The following details Kane's Appeal.

1.   No funding reduction is required

As its name suggests, Essex County Vocational Technical Schools are different from mainstream schools. Instead, the district provides state-of-the-art instruction in over 30 career and technical areas including health careers, music production, computer and business technology, law and public safety, graphic design, green energy, television production, dental assistance, automotive, building trades, culinary arts and cosmetology. As a result, the District has larger technology requirements than mainstream high schools.

Pursuant to New Jersey law, the District must periodically submit a Local District Technology Plan ("Technology Plan") which must be approved by both the District and the New Jersey Department of Education (the "DOE"). It is the Technology Plan that governs the infrastructure, hardware, software and devices that is placed within the District. Since this District is composed solely of vocational and technical schools, the DOE maintains higher requirements than other school districts.

The Executive Summary of the District's current Technology Plan describes the need for these inflated requirements:

> . . . As a regional technical school, the district places special
> emphasis on the SCANS array of skills and endeavors to instruct
> its students on the application of technology . . .

> The district also has the unique mission and challenge of providing high level educations opportunities for at risk students from the urban centers of Essex County. Many families in our community are living at or below the poverty level. In most instances, lack of availability of computer and Internet access is the rule. The district thus endeavors to offset these limitations by providing the fullest access to technology to its students in all of its classes, seeking methods of providing access for out students and their families to such technology: in the workplace, in their community and even in their homes.

A full and complete copy of the District's Technology Plan is attached hereto as Exhibit "A".

The Technology Plan specifically references the scope of services provided by Kane. In the Overview of its technology the District states:

> During the school year of 2006-07 e are in the process of implementing new data wiring of CAT 6 cabling, Wireless Technology and the new Cisco Voice Over IP phone system through out [sic] the entire district. Each classroom will have at least one phone and our Central Office staff and other staff members will each have a phone with access to voicemail via phone or e-mail as well.

This scope was required and approved by the New Jersey Department of Education. Conversely, there is no required ratio or number of technological devices per student contained within Code of Federal Regulations, the FCC rules or the USAC list of eligible products and/or services. The type of services provided by Kane is eligible for USAC funding. The volume and scope of services provided by Kane was approved by USAC prior to the work being performed. The volume and scope of services provided by Kane was performed in accordance with the District's Technology Plan. As a result, the number of drops is not excessive and the funding commitment should not be reduced.

2.   Any reduction in funding must be recovered from the District

If USAC does not agree that the number of drops made were not only adequate but necessary, it is the District, and not Kane Communications, that is responsible to reimburse USAC. Although payment was made to Kane, payment was made for services performed. Those services remain in place and Kane is entitled to receive fair compensation for the provision of those services. It is the District who required and dictated the services performed. Therefore, any ineligible services provided were provided at the risk of the District, not Kane.

After the District posted its Form 470 Application in December 2005 and before it accepted bids, it required that any potential bidder perform a walk through of each school during which the District stated the type and position of each drop that was to be made. Throughout the

term of the project, the District determined the scope and volume of Kane's work. Kane did not possess any independent authority with respect to this work. If Kane had a question, a Request for Information ("RFI") was sent to the District's attention and Kane awaited an answer from the District. An example of three (3) RFIs is attached hereto as Exhibit B. Moreover, throughout the project, Kane was directed by the District to add or relocate drops. Examples of this are e-mails from the District's IT administrator to Kane attached hereto as Exhibit C.

The District has alleged that at the time of Kane's contract, it did not have in-house staff to determine the number of drops required to meet its technology goal and instead relied upon Kane for this information. Kane vehemently disagrees with this allegation. The District did have in-house personnel. Terence Hansford served as the District's Network Systems Administrator and provided day to day direction to Kane. See Exhibits B and C. Additionally, the District utilized the services of a Technical Consultant, Edrich Semper, at the time of Kane's contract. In fact, Mr. Semper is listed as the contact on the District's Form 470 Application and it is Mr. Semper who certified that Kane provided the services for which it invoiced. True and correct copies of the Service Certifications are attached hereto as Exhibit D.

As demonstrated above, the District determined the scope of the services provided by Kane, the District directed the services provided by Kane and the District certified the services provided by Kane. As a result, if USAC does not agree that the number of drops made were not only adequate but necessary, it is the District, and not Kane Communications, that is responsible to reimburse USAC.

As counsel for Kane Communications, LLC, I am authorized to submit this Letter of Appeal to your attention. If you require any additional information or would like to discuss this matter further, please contact me directly.

Sincerely,

Vanessa Urbano

JU/pcf
Enclosures

cc (with enclosures): Melissa M. Kane
Dan Riordan

Exhibit A

ESSEX COUNTY OFFICE OF EDUCATION
1 Glenwood Avenue
East Orange, New Jersey 07017
(973) 395-4657

JON S. CORZINE, Governor

THOMAS J. OWENS, Essex County Superintendent

June 11, 2007

Mr. Ivan Holmes,
Superintendent of Schools
Essex County Vocational
900 Bloomfield Avenue
Verona, NJ 07044

Dear Mr. Holmes

Congratulations. Your three-year local district technology plan has been approved by the County Coordinating Council on May 31, 2007. As the New Jersey Department of Education designated authority, I have signed, as indicated on the County Coordinating Council Approval Form for Local District Technology Plan. Attached is the authorized form.

A copy of the approval letter and the approved technology plan should be forwarded electronically to the New Jersey Department of Education. Use the information at http://www.nj.gov/education/techno/localtech/techsharing.htm to electronically submit your district's plan. If you have any questions, please contact Sue Sullivan at 609-777-4601.

To verify that your plan is approved, the department will list your district on their "Approved Technology Plans" website at http://www.nj.gov/education. We encourage you to put your technology plan on your district web site and the department will link to it. To establish the link, contact the NJDOE Webmaster via e-mail at webmaster@doe.state.nj.us.

Sincerely,

Thomas J. Owens
Interim Essex County Superintendent

TJO: smg
Enclosure

County Coordinating Council Approval Form
for
Local District Technology Plan

LOCAL DISTRICT NAME: Essex County Vocational Schools

COUNTY: ESSEX

This technology plan is approved for:

___✓___ **No Child Left Behind (NCLB)**
To receive federal funding through Title II-D,
Enhancing Education Through Technology as part of NCLB

___✓___ **Telecommunications Act of 1996 (E-rate)**
For participation in the national Universal Service Fund that enables
public and non-public schools to receive discounts on the purchase of
all commercially available telecommunications services, internet access,
and internal connections

_____   _____
Coordinating Council Chair   Date

_____   _____
County Superintendent   Date

Essex County Vocational Schools
BOARD OF EDUCATION

THIS IS A CERTIFIED TRUE COPY of a Resolution adopted at the Regular Board Meeting of the Essex County Vocational Schools' Board, held on Monday, May 21st, 2007

* *

DISTRICT TECHNOLOGY PLAN, JULY 1, 2007 THROUGH JUNE 30th, 2010

BE IT RESOLVED, that upon recommendation of the Superintendent, the Board approves the attached District Technology Plan, for the period beginning July 1, 2007 through June 30, 2010, in compliance with the Department of Education, Office of Educational and Informational Technology Procedures.
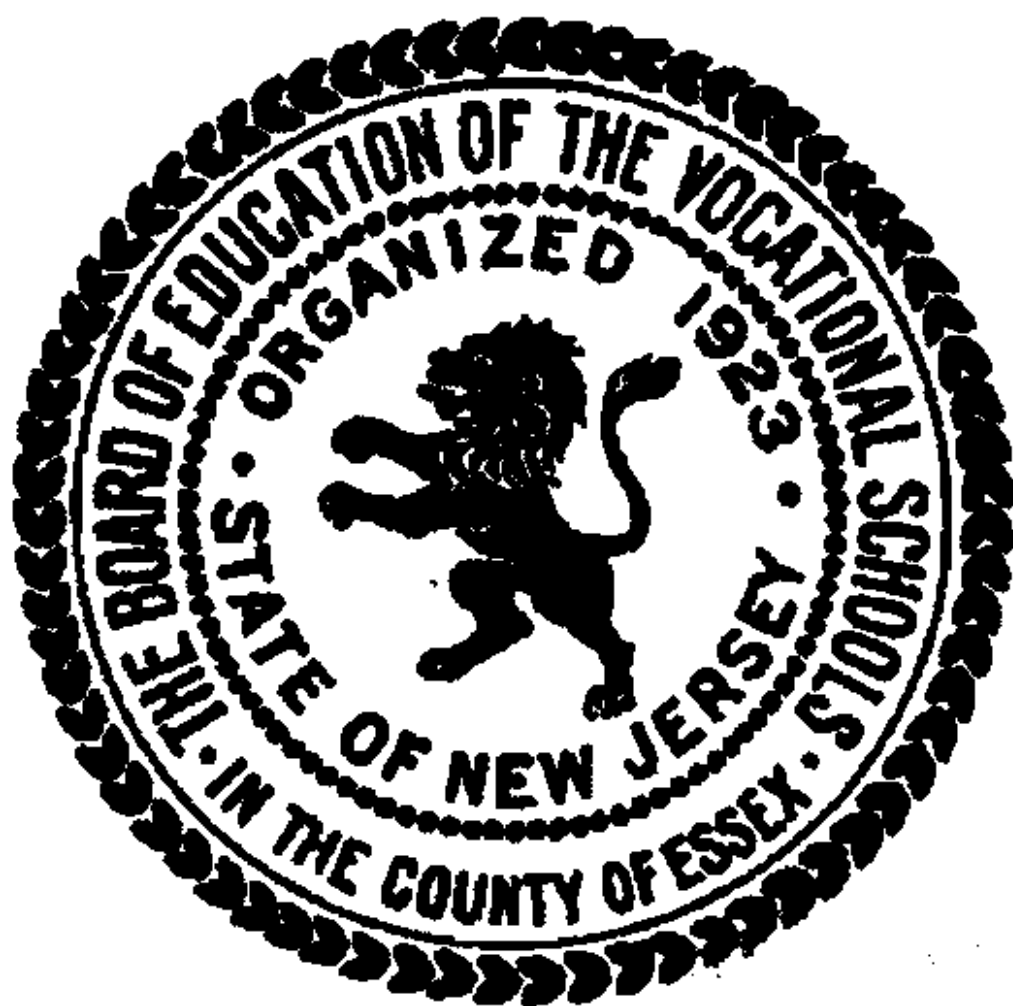
Resolution Approved: Yes, 4. No, 0; Abstain, 0

ATTEST

Deborah A. Pinto
Board Secretary

DAP/aaa
June 19th, 2007

ESSEX COUNTY VOCATIONAL TECHNICAL SCHOOLS

TECHNOLOGY PLAN 2007-2010

I. STAKEHOLDERS

Ivan Holmes............. Superintendent

Spring Banks.............. Special Assistant to the Superintendent

Bickram Singh............. Basic Skills Supervisor

Lonnie Hughes............. Comptroller

Joseph Tyal................. Director of Adult and Voc Education

James Kidgwith............ Supervisor of Adult and Voc Education

Michael Zelkowitz........ Supervisor of Special Education

Emanuel Addo,.......... Supervisor of Math and Science

Terrence Hansford..... Network Systems Administrator

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II. EXECUTIVE SUMMARY

It is the vision of the Essex County Vocational-Technical Schools that all of its students have full access to the learning benefits that can accrue from the application of technology, including internet communications and distance learning can have on education. We believe that for students to become productive members of society a quality education must include mastery of basic skills and knowledge of the tools necessary to survive in the workplace of the 21st century. As a regional technical school, the district places special emphasis on the SCANS array of skills and endeavors to instruct its students on the application of technology, the use of knowledge in a collaborative team effort, and the application of critical thinking skills to solve problems.

The district also has the unique mission and challenge of providing high level educational opportunities for at risk students from the urban centers of Essex County. Many families in our community are living at or below the poverty level. In most instances, lack of availability of computer and Internet access is the rule. The district thus endeavors to offset these limitations by providing the fullest access to technology to its students in all of its classes, seeking methods of providing access for our students and their families to such technology: in the workplace, in their community and even in their homes.

The district also has the mission and challenge of providing our students, who live in a county with high unemployment and the highest welfare numbers in the state with the opportunity to master the academic and technological skills that will give them the ability to compete for high paying jobs in the constantly changing job market of the 21st century. These students must be able to not only master the knowledge and technology of the present, but have the skills to be able to deal with the explosion of knowledge and technology that will face them in the future.

The vision of the Essex County Vocational Schools is to make available information and data from all over the world through the use of distance learning and Internet access to all students. This access to the world is especially critical to our students, whose experiences

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and interpersonal contacts have been limited by the impediments to learning created by *de facto* segregation. Computer and telecommunications technologies can be the key to breaking down the barriers of racial segregation and opening up the world of opportunity to our students.

Our teachers are developing skills, not only in the basic uses of computer, Internet and distance learning technologies, but also in keeping abreast of the latest developments in occupational technologies, such as CAD, robotics, electronics, and multi-media production. Technology is being integrated into all academic and occupational programs as a basic tool of learning and work production. The relationship between academic and occupational instruction -the linkage of theory and practical application - will provide a seamless and continuous theme to structure and integrate the curriculum.

III. TECHNOLOGY OVERVIEW

A. TECHNOLOGY

Please see Appendix A for the 2006 NJDOE School Technology Survey for each of the four schools in the district.

Currently the district has approximately 1,200 computer workstations available to its 2,237 students in four schools. This ratio of students to computers is less than two to one.

The workstations are organized into two main configurations: computer lab and regular classroom environment. The computer lab setting is typically a room of 24 student workstations and one teacher workstation. Some computer labs have less student workstations, perhaps 16 or 20, but never more than 24. This is to accommodate the different programs, such as CAD, Electronics, Robotics, Graphic Arts, Business Technology, and Computer Technology.

In a regular classroom environment, there is always at least one teacher workstation and anywhere from one to four student workstations. Most academic classroom teachers opt for the one teacher workstation and one student workstation scenario, mainly because the classrooms cannot always accommodate more workstations. Some teachers have asked for as many as possible in their classroom. All academic classrooms are wired for five possible connections, thus allowing for one teacher workstation and four student workstations. In these instances, we rely on what the teacher wishes to have in his/her classroom.

In a vocational environment, we offer the same options. Most of the hands-on type shops, such as Welding, Auto Repair, Culinary Arts, Woodshop, and HVAC are all equipped with at least one workstation and as many as five workstations.

In the summer 2005, we performed a major upgrade to the network operating system and at the workstation level installing Windows XP over the previous version of Windows 2000 and at the server level installed Windows Server 2003. By doing so, we strengthened the connections between the buildings by relying on Active Directory to create and manage all user accounts under one domain. As of now, the system has been running for nearly two years without fail. Every employee has a network account and an e-mail account. Every student has a network account. Every user has a personal storage location (we call it the H: drive) on the primary server in each building.

Also during the school year of 2005-2006 we installed about 8 new Dell Servers and upgraded most of our switches to Cat 3550 Cisco Switches as well as upgrading our network bandwidth from a T1 connection to the new VON system (Verizon Optical Network), by doing so we have increased our local bandwidth from 1.5mbps to

10mbps. And we are in the process of upgrading our Internet bandwidth from 9mbps to 45mbps.

During the school year of 2006-07 we are in the process of implementing new data wiring of CAT 6 cabling, Wireless Technology and the new Cisco Voice Over IP phone system through out the entire district. Each classroom will have at least one phone and our Central Office staff and other staff members will each have a phone with access to voicemail via phone or e-mail as well. By moving to the new IP Phone System we will be implementing the latest technology in telecommunications as well as saving the school district money in regards to paying for toll calls when making calls within the district. Also maintenance and management of the new phone system will be done internally therefore decreasing expensive maintenance fees.

Each school has a Dell PowerEdge 2800 server that runs as the application server for that building and holds all of the data in everyone's H: drive. There is also a second Dell PowerEdge 2800 server configured as a backup for the first 2800 server for redundancy at each location. The programs we are currently using on the network include: Follett, SkillsBank, Mitchell-on-Demand, Understanding Math, OPAC, Win Instruction Solution, Ellis Software, Mavis Beacon, Microtype 4, and The Learning Company's Cornerstone software.

Each school also has a Dell PowerEdge 2400 server that is only running SASIxp, our student management program. SASIxp is used by the Principal, Vice Principal, Guidance Department, and various support staff to help track daily attendance, print student transcripts, record incidents of violence and vandalism, and maintain the grades of all of the students.

The district currently has three full time computer technicians with the responsibility for maintaining and repairing all workstations and related hardware, as well as the educational and administrative systems. Three computer technology teachers and their students provide additional installation and support services on an as needed basis.

The district's current practice is to require three-year warranties and/or service contracts on all computer hardware acquisitions, including support for the operating system. After three years, district staff maintains the hardware and software.

Our district has been making a concerted effort to integrate technology in our instructional program. With the installation of SMART boards, LCD projectors and the use of graphing calculators, student learning is expected to improve significantly in the core content areas. It is also anticipated that assistive technology and other content area software will address the specific needs of our students. Specifically, assessment data has revealed that our LEP and Special Needs students show deficiency in the areas of language arts literacy and mathematics. With additional instructional software such as Skills Tutor, Read 180, Cognitive Tutor and

Understanding Math, these and other students are expected to be demonstrate proficiency in local, state and other standardized assessments such as the HSPA.

Every classroom in each building in the district is wired and connected to the LAN. This means every computer has the ability to connect to the Internet and every teacher can connect to his/her e-mail from any computer at any time.

Obsolete computers and technology are updated through melded funding from NCLB Title I, NCLB Title IID, NCLB Title III and NCLB Title V, as well as Perkins, IDEA-B, E-Rate and Local funds. Older computers are refitted and refurbished through our technology classrooms and staff, and offered to students without cost to the student.

Our criteria for obsolescence is when a computer has been in the district for 3 to 4 years, it is deemed obsolete and must be replaced. This applies to any computer in a computer lab setting, academic classroom or office. Printers are replaced on an as needed basis.

B. CYBER SAFETY

Our district is always cognizant of the need to continuously monitor Internet use by students and staff. This is done with the use of the Linux Squid filtering application, which is very effective. As a result unwanted websites are reported and blocked. The decision was made to use this filtering system because there would be no cost to the district as well as some issues that were experienced with Websense including the cost of subscription renewals to continue service. However, the district is now looking to convert back to Websense or another filtering application that is C.I.P.A. compliant. Although there will be an additional cost to the district we will continue to be compliant with state requirements for Internet filtering. Students are further protected by not allowing them access to email capabilities.

The Essex County Vocational Schools *"Acceptable Use Polices"* (AUP) for students and staff includes Purpose, Prohibited Activities and Uses, Violations/Sanctions and Code of Ethics and Etiquette. Please find copy of *"Acceptable Use Polices"* (AUP) attached.

Students will be informed about the online safety awareness through various methods. Instructors will hold ongoing discussions on this issue as it evolves. Our district is already equipped with a software program, Synchroneyes that allows our instructors to closely monitor student activities. Our student handbook also offers guidelines on the use of the Internet. Such heightened awareness on Internet safety by students and staff prevents undesirable activities.

Our district regularly facilitates parental involvement in the education of our students. Throughout the year parents and their children meet with our instructors and administrators on parents' night and other parent meetings. At these meetings,

Internet safety is strongly emphasized. The guidelines given to students on safe Internet use at school would also be reinforced by parents at home. Further, detailed safety procedures on Internet use will be posted prominently on our district's website.

C. NEEDS ASSESSMENT

Technology is currently being used in some capacity in all academic and vocational disciplines. Students can be seen using technology in their academic classes with the use of the Internet resources for conducting research, preparing research papers and reports as well as power point presentations. Teachers are using technology to enhance instruction through the use of websites for accessing information to extend skills and concepts discussed in class. The standard of instruction has been improved by the use of LCD projectors and SMART boards.

Vocational shops are presently using technology in areas such as Music Production, Business Office Practices, Drafting, Advertising and Design, Auto Technology and Graphic Arts. Technology is these areas involve programs that are specifically for use with the respective vocational shops.

The majority of the teachers and the librarians in the district are proficient in sending and retrieving emails, opening attachments and designing power point presentations. The librarian/media specialist personnel are equipped to use the Follet system to catalogue books. The media specialists are also proficient in assisting classroom instruction by accessing online data bases of key information.

All staff members have access to different forms of technology in their respective classrooms. Specifically, computers are provided in all classrooms along with technology that are relevant to the content area being taught. Every classroom has wireless capability and is hard wired to the LAN and WAN, along with at least one workstation. Because of this connectivity, the staff has the ability to communicate with other teachers, schools, and outside organizations so as to collaborate on projects, conduct research, share ideas, and receive technical assistance. Instructors are always engaged in the integrating of technology in their classroom instruction.

As teachers and students become more proficient in using technology in their classroom, there has been an increase in the demand for more computers. Because of various logistical problems, (wiring, electrical demands, furniture etc) this is not always possible.

Students often have access to technology in their learning environment through several ways. Most classrooms have computers which are available for student use. In addition, each school has a media center that is equipped with numerous computers that are dedicated specifically for students to engage in research activities. Three of our schools have dedicated mathematics labs where instruction is done entirely on computers. All students are provided with either a scientific or graphing calculator. Students also use other technology equipment like LCD and table top projectors. In our business shops, all students are assigned a workstation throughout the semester to complete their assignment.

Because of budgetary constraints our ability to provide all students with a graphing calculator is limited. We would also like to install more language arts literacy and math labs in all our schools for student use. At present, students have to take turns in using the computer labs after school.

There is always ongoing feedback from all members of staff concerning their needs. Throughout the year, teachers communicate their needs to the district's technicians and/or administrators, which are promptly addressed. Supervisors also solicit the instructional needs of staff at regular departmental and faculty meetings. With more emphasis being placed on data analysis, our district provides extra support to instructors of under performing students as identified by the data.

The replenishment of key supplies is sometimes delayed causing understandable frustration among staff. Periodically, computers and printers may also malfunction causing delays in getting work done on time.

The needs of students are continuously being evaluated. As our student population grows, the district is cognizant of the need to provide adequate technology. Instructors are specifically responsible in assessing the basic instructional needs of each student with regard to technology. Supervisors and building administrators also play a vital assessing the instructional programs and taking major initiatives in expanding the integration of technology in instruction.

Because school buildings are very old, there are severe limitations to the number of computer labs and LCD projectors that can be installed. With the availability of funding we hope to rewire our buildings increase of capability of providing more technology available to more students.

Our district has always encouraged the integration of technology across content area. Professional development workshops were provided to staff throughout the plan period. On district in-service days, specific workshops such as Microsoft Word, Excel, PowerPoint, Outlook, graphing calculators and SASI were done. Instructors also attended out of district workshops on various areas of technology. With NCLB mandating 25% of title 2D funds be used specifically used for professional development, our district will be robust in seeking more meaningful activities for staff.

Students are often guided by out Instructors in their quest to use technology. Teachers demonstrate the use of new technology while students follow. In math labs, students work independently with the instructors providing instant feedback and guidance throughout the class.

With just a few days designated for full day professional development in our district and the presence of other competing issues, it is always a challenge in getting all staff together in order to provide common activities.

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In the past, our district conducted Summer Institute specifically for the enhancement of technology to all staff who elected to participate. These institutes provided training for teachers in Microsoft Word Office. Guidance staff and other administrators also had training in using SASI our student database software.

The lack of sufficient funding has caused the district to terminate this program. Hopefully, with renewed allocation of funds, we can resurrect it.

With professional development being an integral part of our instructional program, the district employed many consultants during the 2006-07 school years. In particular, the mathematics consultant provided ongoing support and training for math instructors on exploring the functions of the TI-84 plus graphing calculator. In addition, staff members were given technical support on using instructional software such as the read 180, Skills tutor and Cognitive Tutor.

The major professional development activity that administrators participated in was in the training on SASI, our software used to store and retrieve student data. A few administrators went further in developing student schedule in order to maximize instructional time.

With the presence of technicians in the school buildings, there was always ongoing support to the teachers and students in having all equipment function efficiently. There are also instructors who are proficient in using technology that provided assistance and support to their colleagues.

Our district is been vigorously pursuing ways to integrate technology in our instructional program. We have implemented Cognitive Tutor: Algebra I, Geometry in our regular math curriculum. To address our Special Needs and LEP student populations, we have acquired the read 180 program. In addition, all students will have access to a web-based math and LAL instructional software, Skill Tutor, which they can use to improve their proficiency in both content areas.

Our biggest barrier is the limited number of computers in our schools. Many students do not own a computer at home and are severely restricted on when they can access and use the program.

Many of our computers are also very old and are limited in their capability. Activities such as video streaming are not feasible.

Other needs and barriers identified:

- Many teachers lack classroom management strategies to work with the amount of technology actually available in the classroom. Teachers have indicated the following needs for professional development:

- Time to learn, pilot, reflect, modify, and implement skills covered in staff development

- Learning ways to implement technology-infused content area lessons into their classrooms.

- Learning ways to manage technology in the classroom so that all students have access to the technology.

- Learning ways to evaluate the effects of technology integration on student learning.

- Learning ways to use technology to increase the efficiency of everyday tasks such as grade keeping and attendance.

- Administrators have indicated the following needs for professional development:

- Time to learn, pilot, reflect, modify, and implement skills covered in professional development.

- Learning ways to implement and evaluate the use of technology-infused content area lessons into the classrooms.

- Learning ways to evaluate how technology is managed in the classroom.

- Learning ways to evaluate the effects of technology integration on student learning.

- Learning ways to use technology to increase the efficiency of everyday tasks such as record keeping and attendance.

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III. THREE-YEAR GOALS AND OBJECTIVES

OBJECTIVES FOR 2004 - 2007

- To develop and implement professional development opportunities that will increase staff competencies in the productive use of technology.

  Instructors were provided in-service workshops on various forms of technology throughout the school year. There was also ongoing use of specific technology in some areas.

- To install and implement a library automation system for research as well as circulation.

  All staff and students have access to various web resource databases. We also have a Follet application system which currently resides on the local server. However, we plan to upgrade the library system with Destiny, which is web-based application.

- Install large group projection capability in individual classrooms for computer and video.

  During the '04-'07 time period 23 LCD overhead projectors were installed in various academic and shop classrooms throughout the district. We will continue to ascertain and address the needs of our instructional program on a regular basis.

- To develop and implement opportunities for staff to develop strategies and materials for integration of technology across the curriculum.

  The district, through the professional development committee, has provided numerous opportunities on the integration of technology that is used in address the core curriculum content areas. Since this is an ongoing activity, we intend to explore more ways in which this can be done to meet the learning needs of our students.

- Continue to develop and implement opportunities for staff to develop strategies and materials for integration of technology to track and utilize student data.

  With more emphasis being placed on data analysis and using assessment data to inform instruction, our district is committed to detailed analysis with respect to the various student subgroups in order to identify areas of strengths and weaknesses.